

REMARKS

Applicants' attorneys, Philip B. Polster II and J. Philip Polster, thank the Examiner, Minh-Tam Davis, and her supervisor, Susan Ungar, for the courtesy of an interview on August 20, 2001. At the interview, applicants' attorneys reiterated their belief that the disclosure would enable those skilled in the art, at the time the application was filed, to practice the claimed invention without undue experimentation. As discussed at the interview, the disclosure of WO96/34888, particularly Example 4 and its accompanying Figures 5 and 6, is further evidence that those skilled in the art would regard applicants' disclosure as being sufficient to enable practicing the claimed invention.

As suggested by Dr. Ungar, claim 11 has been amended to remove the unnecessary limitation of "by about 10 percent."

As mentioned at both interviews, the present application is related to four other pending applications. For the convenience of the Examiner, the following co-pending U.S. Applications are related:

08/785,997, filed 01/21/97 (this pending application)

08/934,367, filed 09/19/97 (pending in Group Art Unit 1642, Examiner Minh-Tam Davis)

08/788,882, filed 01/21/97 (pending in Group Art Unit 1642, Examiner Minh-Tam Davis)

09/387,340, filed 08/31/99 (pending in Group Art Unit 1642, Examiner Minh-Tam Davis)

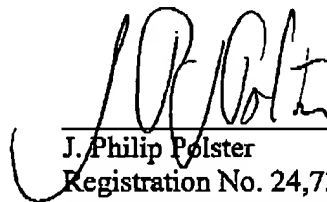
09/386,591, filed 08/31/99 (pending in Group Art Unit 1646, Examiner Janet Andres)

The foregoing amendment is believed to overcome the sole remaining rejection in the case (assuming that the terminal disclaimer previously filed overcomes the double

patenting rejection). It is therefore requested that the amendment be entered, and that an advisory action be issued confirming that the amendment overcomes the rejection.

Should the Examiner have questions or suggestions, she is requested to call applicants' undersigned attorney.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "J. Polster", is written over a horizontal line.

J. Philip Polster
Registration No. 24,739
Polster, Lieder, Woodruff & Lucchesi, L.C.
763 S. New Ballas Road
St. Louis, MO 63141
(314) 872-8118
(314) 991-2178 (fax)

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT: Needleman et al.

GROUP ART UNIT: 1642

SERIAL NO.: 09/387,340

EXAMINER: M. Davis

FILED: August 31, 1999

DOCKET NO.: 7915

FOR: AN IMMUNOLOGICAL PROCESS AND CONSTRUCTS FOR INCREASING
THE HDL CHOLESTEROL CONCENTRATION

**SUPPLEMENTAL AMENDMENT C AFTER FINAL
VERSIONS WITH MARKINGS
TO SHOW CHANGES MADE**

11. (amended) A process for increasing the concentration of HDL cholesterol in the blood of a mammal whose blood contains cholesteryl ester transfer protein (CETP) that comprises the steps of:

- (a) immunizing said mammal with an inoculum containing a vehicle in which is dissolved or dispersed a CETP immunogen that is a fusion protein of
 - (i) an exogenous antigenic carrier polypeptide that is peptide-bonded to the amino-terminus, carboxy-terminus, or both of
 - (ii) an immunogenic polypeptide having a CETP amino acid residue sequence;
- (b) maintaining said mammal for a time period sufficient for said immunogenic polypeptide to induce the production of antibodies that bind to CETP and lessen the transfer of cholesteryl esters from HDL; and
- (c) repeating said immunizing step until the HDL cholesterol value in the blood of said mammal is increased [by about 10 percent] relative to the HDL cholesterol value prior to said first immunization step.